

104TH CONGRESS  
1ST SESSION

# S. 433

To regulate handgun ammunition, and for other purposes.

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## IN THE SENATE OF THE UNITED STATES

FEBRUARY 16 (legislative day, JANUARY 30), 1995

Mr. KERRY introduced the following bill; which was read twice and referred  
to the Committee on the Judiciary

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## A BILL

To regulate handgun ammunition, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Ammunition Safety  
5 Act of 1995”.

6 **SEC. 2. DEALERS OF AMMUNITION.**

7 (a) DEFINITION.—Section 921(a)(11)(A) of title 18,  
8 United States Code, is amended by inserting “or ammuni-  
9 tion” after “firearms”.

10 (b) LICENSING.—Section 923(a) of title 18, United  
11 States Code, is amended—

1           (1) in the matter preceding paragraph (1) by  
2       striking “or importing or manufacturing ammuni-  
3       tion” and inserting “or importing, manufacturing, or  
4       dealing in ammunition”; and

5           (2) in paragraph (3)—

6               (A) in subparagraph (A), by striking “or”  
7       the last place it appears;

8               (B) in subparagraph (B), by striking the  
9       period at the end and inserting “; or”; and

10           (C) by inserting the following new subpara-  
11       graph:

12               “(C) in ammunition other than ammunition for  
13       destructive devices, \$10 per year.”.

14       (c) UNLAWFUL ACTS.—Section 922(a)(1)(A) of title  
15   18, United States Code, is amended—

16           (1) in paragraph (1)—

17               (A) in subparagraph (A)—

18                   (i) by inserting “or ammunition” after  
19       “firearms”; and

20                   (ii) by inserting “or ammunition”  
21       after “firearm”; and

22               (B) in subparagraph (B), by striking “or  
23       licensed manufacturer” and inserting “licensed  
24       manufacturer, or licensed dealer”;

1           (2) in paragraph (2), in the matter preceding  
2           subparagraph (A), by inserting “or ammunition”  
3           after “firearm”;

4           (3) in paragraph (3), by inserting “or ammuni-  
5           tion” after “firearm” the first place it appears;

6           (4) in paragraph (5), by inserting “or ammuni-  
7           tion” after “firearm” the first place it appears; and

8           (5) in paragraph (9), by inserting “or ammuni-  
9           tion” after “firearms”.

10          (d) PENALTIES.—Section 924 of title 18, United  
11       States Code, is amended—

12           (1) in paragraph (5)—

13                (A) in subparagraph (A)(i), by striking “1  
14                year” and inserting “2 years”; and

15                (B) in subparagraph (B)—

16                    (i) in clause (i), by striking “1 year”  
17                    and inserting “2 years”; and

18                    (ii) in clause (ii), by striking “10  
19                    years” and inserting “20 years”; and

20           (2) by adding at the end the following new sub-  
21       section:

22       “(o) Except to the extent a greater minimum sen-  
23       tence is otherwise provided, any person at least 18 years  
24       of age who violates section 922(g) shall be subject to—

1 “(1) twice the maximum punishment authorized  
2 by this subsection; and

3 “(2) at least twice any term of supervised re-  
4 lease.”.

5 (e) APPLICATION OF BRADY HANDGUN VIOLENCE  
6 PREVENTION ACT TO TRANSFER OF AMMUNITION.—Sec-  
7 tion 922(t) of title 18, United States Code, is amended  
8 by inserting “or ammunition” after “firearm” each place  
9 it appears.

10 **SEC. 3. REGULATION OF ARMOR PIERCING AND NEW TYPES**  
11 **OF DESTRUCTIVE AMMUNITION.**

12 (a) TESTING OF AMMUNITION.—Section 921(a)(17)  
13 of title 18, United States Code, is amended—

14 (1) by redesignating subparagraph (D), as  
15 added by section 2(e)(2), as subparagraph (E); and

16 (2) by inserting after subparagraph (C) the fol-  
17 lowing new subparagraph:

18 “(D)(i) Notwithstanding subchapter II of chapter 5  
19 of title 5, United States Code, not later than 1 year after  
20 the date of enactment of this subparagraph, the Secretary  
21 shall—

22 “(I) establish uniform standards for testing and  
23 rating the destructive capacity of projectiles capable  
24 of being used in handguns;

1           “(II) utilizing the standards established pursu-  
2           ant to subclause (I), establish performance-based  
3           standards to define the rating of ‘armor piercing  
4           ammunition’ based on the rating at which the pro-  
5           jectiles pierce armor; and

6           “(III) at the expense of the ammunition manu-  
7           facturer seeking to sell a particular type of ammuni-  
8           tion, test and rate the destructive capacity of the  
9           ammunition utilizing the testing, rating, and per-  
10          formance-based standards established under  
11          subclauses (I) and (II).

12          “(ii) The term ‘armor piercing ammunition’ shall in-  
13          clude any projectile determined to have a destructive ca-  
14          pacity rating higher than the rating threshold established  
15          under subclause (II), in addition to the composition-based  
16          determination of subparagraph (B).

17          “(iii) The Congress may exempt specific ammunition  
18          designed for sporting purposes from the definition of  
19          ‘armor piercing ammunition’.”.

20          (b) PROHIBITION.—Section 922(a) of title 18, United  
21          States Code, is amended—

22                  (1) in paragraph (7)—

23                          (A) by striking “or import” and inserting  
24                          “ , import, possess, or use”;

1 (B) in subparagraph (B), by striking  
2 “and”;

3 (C) in subparagraph (C), by striking the  
4 period at the end and inserting “; and”; and

5 (D) by adding at the end the following new  
6 subparagraph:

7 “(D) the manufacture, importation, or use  
8 of any projectile that has been proven, by test-  
9 ing performed at the expense of the manufac-  
10 turer of the projectile, to have a lower rating  
11 threshold than armor piercing ammunition.”;  
12 and

13 (2) in paragraph (8)—

14 (A) in subparagraph (B), by striking  
15 “and”;

16 (B) in subparagraph (C), by striking the  
17 period at the end and inserting “; and”; and

18 (C) by adding at the end the following new  
19 subparagraph:

20 “(D) the manufacture, importation, or use  
21 of any projectile that has been proven, by test-  
22 ing performed at the expense of the manufac-  
23 turer of the projectile, to have a lower rating  
24 threshold than armor piercing ammunition.”.

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